

1 AMENDMENT TO SENATE BILL 1507

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1507 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Consumer Contract Plain Language Act.

6 Section 5. Definitions. As used in this Act, unless the  
7 context clearly requires otherwise:

8 "Consumer" means an individual who, primarily for  
9 personal, family, or household purposes, gives or promises to  
10 give money or other consideration in exchange for an interest  
11 in services or personal property, including money.

12 "Consumer contract" means a written contract with a  
13 consumer in which the price, excluding interest or finance  
14 charges, is \$35,000 or less.

15 Section 10. Plain language required. Except as provided  
16 in Section 15, every consumer contract made after the  
17 effective date of this Act shall meet all of the following  
18 criteria:

19 (1) The contract shall adequately inform the  
20 consumer of the rights and duties fixed by the contract.

21 (2) The contract shall be sufficiently clear and

1 readable for the ordinary reader, using, so far as is  
2 practical, words with common, everyday meanings.

3 (3) The contract shall be appropriately divided  
4 into sections and paragraphs, and the sections shall  
5 contain captions.

6 (4) The contract shall be printed in 10-point or  
7 larger type, with at least one point of leading between  
8 lines, and in ink that contrasts sufficiently with the  
9 paper; however, consumer contracts made on or before the  
10 third anniversary of the effective date of this Act that  
11 are related to the sale or lease of an automobile may be  
12 printed in 8-point or larger type.

13 Section 15. Exceptions. This Act does not prohibit the  
14 use of the following in consumer contracts:

15 (1) Words or phrases, or forms of agreement,  
16 required by State or federal law or by rule or regulation  
17 of a State or federal governmental instrumentality.

18 (2) Technical terms used to describe a service or  
19 property that is the subject of the contract if (i) those  
20 terms are customarily used by consumers in connection  
21 with the service or property or (ii) there is no  
22 sufficiently clear and readable substitute for those  
23 terms.

24 Section 20. Violation.

25 (a) A violation of Section 10 does not render a consumer  
26 contract void or voidable, nor does it constitute a defense  
27 to an action or proceeding for breach of the contract or to  
28 enforce the contract.

29 (b) If the Attorney General has reason to believe that a  
30 business entity is using or has used a consumer contract that  
31 violates Section 10 and determines that an action under this  
32 subsection would be in the public interest, the Attorney

1 General may bring an action, in the name of the People of the  
2 State of Illinois, against that business entity to restrain  
3 the use of that consumer contract."